

Group V: Claims 18-22, drawn to a method for screening a test environmental compound for estrogenic activity; and

Group VI: Claims 23-26, drawn to a method of inhibiting agonistic activity of an antiestrogen compound..

In response to this restriction requirement, Applicants provisionally elect Group III, claims 13-16, with traverse.

Applicants submit that restriction between Groups I, and III is unnecessary. According to MPEP §803, the Examiner should examine all claims in an application, even though they are directed to distinct inventions, unless to do so would create a serious burden. In the instant case, the invention pertains to the discovery of an "indirect estrogen pathway" where the estrogen receptor activates or inhibits gene expression through an AP-1 response element. The claims of Group I are directed to a method of screening a test compound for the ability to **activate** transcription through this pathway, while the claims of Group III are drawn to a method of screening a test compound for the ability to **inhibit** transcription through this same pathway. A search for prior art material to the claims of Group I would also be expected to identify prior art, if any exists, material to the claims of Group III. Thus, a search for prior art relevant to Groups I and III together entails no greater burden than a search for art relevant to Group III alone. Accordingly, Examination of Groups I and III together entails no serious burden and the restriction between these groups should be withdrawn.

Similarly, the claims of Group V are directed to methods of Group V are directed to the use of screening systems of this invention for environmental estrogens. Again, a search for prior art material to the claims of Group I or III would also be expected to identify prior art, if any exists, material to the claims of Group V. Thus, a search for prior art relevant to Groups I, III, and V together entails no greater burden than a search for art relevant to Group III alone. Accordingly, Examination of Groups I, III, and V together entails no serious burden and the restriction between these groups should be withdrawn.

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If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 337-7871.

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Respectfully submitted,

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